

## REMARKS

In the Advisory Action of February 18, 2009, the Examiner retained the 35 U.S.C. §112, first paragraph rejection noting that the 180° offset of the eccentric roller 22 at the right side from the eccentric roller 22 at the left side is not defined in the specification.

Perhaps the Examiner misunderstood. Applicant does not claim a 180° offset in the patent claims. Simply put, Applicant is relying on the disclosure at specification page 8, lines 2-7 which states the following:

"This control shaft 21 lies approximately concentric to the fork 11 of the bearing body 8 of the alignment unit 6 and comprises in the region of this fork eccentric rollers 22, rigidly coupled with it, that are arranged on the control shaft 21 working in *opposite directions* (emphasis added) with regard to the two alignment units 6. This means that the bearing body 8 of both alignment unit 6 executes *seesaw motions in opposite directions* (emphasis added) upon rotation of the control shaft 21."

See also specification page 9, lines 10-15 stating:

"In contrast to this, when the alignment unit 6 is out of contact with the recording media and the paddle wheel is raised, the hold-down 25 is in a lower operating position in which it contacts the uppermost recording media 4 in the corner 24 and preferably presses on the media with an elastic force. The uppermost recording media 4 and also the recording media lying beneath it is thereby fixed in the region in the corner 24."

These disclosures directly and simply explain and fully support the language of claim 33 where there is a mechanical fixing of an uppermost page of the first job during the offset stacking of all of the pages of the second job. Reconsideration is requested. Furthermore, Applicant requests a telephone

interview to clear up any misunderstanding in this regard. There is no doubt that the claim language of claim 33 is fully supported by the specification.

The Examiner renews the 35 U.S.C. §103 rejection of claims 33 and 52 by arguing that the teaching of the secondary reference of Boroystan of putting his arms 130 on top of the top stack which is being stacked could be incorporated into the primary reference Williams. But this is impossible because given such a downward pressure on the top of the second stack being stacked to indirectly put pressure on the top of the first stack through the second stack would make it impossible to slide in a sheet beneath arms 130 with the paddle wheel. Therefore the combination of Boroystan and Williams would never work. Reconsideration of this rejection is requested and a telephone conference is respectfully requested to discuss this rejection.

Also please note that claim 33 has been further amended to recite that the downward pressure onto a top surface of the uppermost page during the offset stacking of all of the pages of the second job is accomplished without applying pressure on pages of the second job with said mechanical fixing. This clearly distinguishes over Boroystan where his arms laying on top of the stack would be on top of the pages of the second job given the Examiner's substitution of Boroystan into Williams.

Note that independent claim 52 was amended in similar fashion.

The dependent claims are allowable at least for the reasons noted with respect to the independent claims and also by reciting additional features not suggested.

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to account no. 501519.

Respectfully submitted,

  
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